

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

AFRAH YUSUFZAI

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Plaintiff,

§ Case No. 4:12CV669

VS.

**WELLS FARGO BANK, N.A.,
TRUSTEE FOR THE MLMI TRUST
SERIES 2005-WMC2 and
JOHN DOES 1-XX, et al.**

Defendants.

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On February 14, 2014, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Wells Fargo's Motion for Final Summary Judgment (Dkt. 75) be GRANTED; that *pro se* Plaintiff's Motion for Summary Judgment Under Rule 56 of Federal Rules of Civil Procedure (Dkt. 76) be DENIED; that Plaintiff's Motion for Injunctive Relief (Dkt. 65) be DENIED; that summary judgment be granted for Defendant Wells Fargo; that Plaintiff take nothing by any of her claims against Defendant Wells Fargo; and that, in accordance with Federal Rule of Civil Procedure 54(d), costs of court be awarded to Defendant Wells Fargo. The Magistrate Judge further recommended that Plaintiff's claims against Defendants John Does 1-XX be dismissed without prejudice and that this matter be closed on the court's docket.

The court has made a *de novo* review of *pro se* Plaintiff's objections, as well as Defendant's response, and is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections are without merit as to the ultimate findings of the Magistrate Judge. The court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Therefore, Defendant Wells Fargo's Motion for Final Summary Judgment (Dkt. 75) is GRANTED, Plaintiff's Motion for Summary Judgment Under Rule 56 of Federal Rules of Civil Procedure (Dkt. 76) is DENIED, and Plaintiff's Motion for Injunctive Relief (Dkt. 65) is DENIED. Summary judgment is granted for Defendant Wells Fargo, Plaintiff shall take nothing by any of her claims against Defendant Wells Fargo, and, in accordance with Federal Rule of Civil Procedure 54(d), costs of court shall be awarded to Defendant Wells Fargo.

Further, Plaintiff's claims against Defendants John Does 1-XX are dismissed without prejudice.

IT IS SO ORDERED.

SIGNED this the 28th day of March, 2014.



RICHARD A. SCELL
UNITED STATES DISTRICT JUDGE